

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

JACOB FETMAN,

Debtor.

Chapter 7

Case No. 15-43716-nhl  
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**STIPULATION AND ORDER EXTENDING THE  
TRUSTEE’S TIME TO BRING ACTIONS**

Whereas, on August 11, 2015, an involuntary petition for relief under Chapter 11 of Title 11 United States Code (the “Bankruptcy Code”) was filed against Jacob Fetman (the “Debtor”) and on October 28, 2015, Robert J. Musso (the “Trustee”) was appointed as trustee of the Debtor’s estate;

Whereas, On November 21, 2015, this Court entered an order for relief under Chapter 7 of the Bankruptcy Code;

Whereas, Section 546(a) of the Bankruptcy Code states that a trustee must bring an action under sections 544, 547, 548, or 553 of the Bankruptcy Code no later than two years after entry of the order for relief;

Whereas, pursuant to Section 546(a) of the Bankruptcy Code the last day for the Trustee to file an action under sections 544, 547, 548, or 553 of the Bankruptcy Code is November 21, 2017;

Whereas, the Trustee believes that he has potential actions under sections 544 and 548 of the Bankruptcy Code and applicable state law against Tamar Fetman (“Tamar”) and Merkaz the Center, Inc. (“Merkaz”) and possibly other parties;

Whereas, the Trustee, the Debtor, Tamar, Merkaz, and Moshe Fetman and Yaffa Fetman have been discussing settlement of all the issues in this case and have agreed to extend the Trustee’s time under section 546(a) of the Bankruptcy Code to bring actions;

Now, therefore, it is agreed as follows:

1. The Trustee’s time to bring an action under sections 544, 547, 548, or 553 and

applicable state law is extended through and including January 22, 2018, without prejudice to the Trustee seeking a further extension for cause shown.

2. Tamar, Merkaz, Moshe Fetman, and Yaffa Fetman waive any defense they may have under 546(a) to any action that the Trustee may commence against them.

3. This Stipulation shall be binding upon and inure to the benefit of the parties hereto and their heirs, executors, administrators, successors, and assigns.

4. This Stipulation may be signed in multiple counterparts and by facsimile transmission or email, each of which, when taken together, shall constitute one executed original.

5. This Stipulation shall be deemed to have been jointly drafted by the parties in construing and interpreting this Stipulation. No provision shall be construed and interpreted for or against any of the parties because such provision or any other provision of the Stipulation was prepared or requested by such party.

Dated: Brooklyn, New York  
November 17, 2017

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/s/ Jacob Fetman  
Jacob Fetman

By: /s/ Tamar Fetman  
Tamar Fetman, Chair of the Board

/s/ Tamar Fetman  
Tamar Fetman

/s/ Moshe Fetman  
Moshe Fetman

/s/ Yaffa Fetman  
Yaffa Fetman

SO ORDERED: